

Stray Creek Project

Finding of No Significant Impact

The responsible official has evaluated the effects of the project relative to the definition of significance established by the CEQ Regulations (40 CFR 1508.13). The environmental assessment (EA) and documentation included in the project record has been reviewed and considered, and the Responsible Official has determined that the Stray Creek project proposed action will not have a significant effect on the quality of the human environment. As a result, no environmental impact statement will be prepared. The rationale for this finding is as follows, organized by sub-section of the CEQ definition of significance cited above.

Context

For the Stray Creek project proposed action the context of the environmental effects is based on the environmental analysis in this EA.

This project is limited in scope and is designed to reduce adverse environmental effects. The decision made here applies only to the Stray Creek project area (840 acres), located within the Middle Lolo subwatersheds (29,520 acres) in the Clearwater River subbasin (1,507,833 acres) on the Lochsa-Powell Ranger District of the Nez Perce-Clearwater National Forests (4 million acres).

The project area is limited in size and the activities are limited in duration. The resources affected by the proposal are described in the EA. Effects are local in nature and not likely to significantly affect regional or national resources. The project is consistent with the Clearwater Forest Plan, as amended. Based on these factors, I believe the effects of this project will be localized and will not contribute to significant environmental effects within or beyond the project area. Given the area affected by the Stray Creek project at the subwatersheds, subbasin, district, and forest scales I find the effects are not significant.

Intensity

Intensity is a measure of the severity, extent, or quantity of effects, and is based on information from the effects analysis of this EA and the references in the project record. The effects of this project have been appropriately and thoroughly considered with an analysis that is responsive to concerns and issues raised by the public. The agency has taken a hard look at the environmental effects using relevant scientific information and knowledge of site-specific conditions gained from field visits. My finding of no significant impact is based on the context of the project and intensity of effects using the ten factors identified in 40 CFR 1508.27(b).

1. Impacts that may be both beneficial and adverse. A significant effect may exist even if the Federal agency believes that on balance the effect will be beneficial.

Adverse and beneficial impacts have been assessed and were not found to be significant. The analysis considered not only the direct and indirect effects of the projects, but also their contribution to cumulative effects (pp. 9-28). Past, present, and foreseeable future actions have been included in the analysis. Adverse effects from the Stray Creek project have been minimized or eliminated through project design criteria (EA in **Error! Reference source not found.** and pp. 10-28). For this project, there are no known long-term adverse effects or cumulative effects to resources such as wildlife, water quality, fisheries, plants, or heritage resources. As such, I find that the Stray Creek project is not a significant federal action. Effects, if any depending on resource, are described in this EA (pp. 9-28) and supporting resource analysis incorporated by reference that is located in the project record (documents 11-012, 11-013, 15-001, 17-001, 20-003, 22-004, 22-007, 26-001).

2. The degree to which the proposed action affects public health or safety.

My decision would have no significant or unacceptable effects on public health or safety, because Occupational Safety and Health Administration (OSHA) safety regulations would be met during implementation and Forest Service inspectors would monitor all aspects of implementation to ensure public safety. Timber purchasers are required to comply with all State and Federal fire requirements and regulations. These types of activities (logging, hauling) have historically occurred on roads near the Stray Creek project area without creating public safety or health problems. The risk of effects on public health and safety during project implementation are low. Implementation will include advance notice of closures (website, press releases, and postings), and signing at appropriate locations. The Stray Creek project would reduce the potential for, and intensity of, subsequent wildfire and increase the chance for fire suppression strategy and tactics to be successful (EA p. 18).

There are no municipal watersheds within or near the project area that would be affected by the Stray Creek project.

This project is consistent with the Clean Water Act and Forest Service responsibilities under the Clean Water Act by adopting to state water quality standards (EA p. 29). The objectives of the Idaho Anti-degradation policy are to maintain and protect existing instream water uses and the level of water quality necessary to protect those uses. Beneficial uses and water quality criteria and standards are identified in the Idaho Water Quality Standards and Wastewater Treatment Requirements (IDAPA 58.01.02, IDAPA 37.03.02).

3. Unique characteristics of the geographic area such as the proximity to historical or cultural resources, parklands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.

There will be no significant effects on unique characteristics of the area because of protection measures integrated into the design of the project and based on the discussion of effects found in the EA (pp. 7-8, 10-28) and effects documented and incorporated by reference that are located in the project record (documents 11-012, 11-013, 15-001, 17-001, 20-003, 22-004, 22-007, 26-001). The Stray Creek project does not enter any roadless areas and do not impact any parklands, prime farmlands, ecologically critical areas or wild and scenic rivers. There are no adverse effects to wetlands within the affected area due to avoidance and other design criteria (EA pp. 7-8, 23-28. The project archeologist surveyed the areas of potential effects and determined, with concurrence from the Idaho State Historic Preservation Office, there will be no adverse effect to any cultural resources (EA, p. 30). All cultural properties will be avoided during project implementation. If unknown heritage resources sites are discovered during implementation, all work will stop in the immediate vicinity of the site. Work will not begin again until authorized by a Forest Service archaeologist (EA **Error! Reference source not found.**).

The Clearwater Forest Plan land use allocations in the project area is E1 – productive timber land. None of the major characteristics of this land use allocations will be negatively impacted by this project. The project was designed to meet Forest Plan standards. Additionally, PACFISH amended the Clearwater Forest Plan by establishing riparian habitat conservation areas (RHCAs) that the project will adhere to (pp. 7, 23-28).

4. The degree to which the effects on the quality of the human environment are likely to be highly controversial.

As used in the Council on Environmental Quality's guidelines for implementing NEPA, the term "controversial" refers to whether substantial dispute exists as to the size, nature, or effects of the major federal action. The nature of potential effects of forest management activities proposed in this project is well established and not likely to be highly controversial in a scientific context. My decision falls within the scope of the analysis for the Clearwater Land and Resource Management Plan (1987), as amended.

A range of public comments both supporting and objecting to various aspects of the proposed actions was received through the combined scoping and 30-day comment period. No information was presented that

indicates substantial controversy about the effects of the project. The effects of the Stray Creek project are based on the most recent and applicable science. The interdisciplinary team used information from over 200 scientific literature sources to support the project action and analysis. The response to comments documented in the project record addresses comments received during the combined scoping and 30-day comment period on the preliminary Stray Creek EA (document 06-002). It also contains a range of alternatives; that includes alternatives considered by eliminated from detailed study. The project record contains considerations of the literature and other information submitted by the public (documents 5a-001 through 05a-029; 29-001 through 29-037; and 30-001 through 30-031). I have reviewed literature submitted by the public during the combined scoping 30-day comment period and found nothing that significantly contradicts the science used to develop the proposed activities and assess the impacts of the alternatives. In many cases, the literature submitted by the public supports the analysis for the Stray Creek project or does not meet the purpose and need, and therefore is not applicable (document 06-001). Based on the findings of the analyses, and public comment, there is no indication the effects of the selected alternative on the quality of the human environment are likely to be highly controversial.

The effects on the quality of the human environment are not likely to be highly controversial. While there may be some opposition to proposed treatments, I believe the known relevant biological, social, and economic issues have been sufficiently addressed to avoid scientific controversy over the scope and intensity of effects. Based upon project analysis documentation and discussions with professional resource specialists, there is agreement by my staff and other professionals and agencies consulted about the effects and conclusions identified in the analysis. I conclude that the effects of this project do not represent a controversial impact upon the quality of the human environment, provided that the project design features and mitigation measures are implemented successfully. I conclude that the effects of this project do not represent a controversial impact upon the quality of the human environment, provided the design features outlined in the EA are implemented (EA **Error! Reference source not found.**).

5. The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.

There are no highly uncertain, unique, or unknown risks identified in the Stray Creek project EA. Activities and the effects analyses discussed in EA are based on sound scientific research and previous experience implementing similar projects under the Clearwater Forest Plan over the past 30 years.

The selected alternative was developed using design features based on the results of past actions and professional and technical insight and experience, public input, field surveys and reconnaissance, and incorporation of pertinent research (EA Table 1 pp. 7-8). Project design features incorporated into this decision and used during layout and implementation will avoid or minimize known risks associated with the project and will be employed where unexpected situations arise that could potentially have a detrimental effect on resources (EA pp. 10-28 and (documents 11-012, 11-013, 15-001, 17-001, 20-003, 22-004, 22-007, 26-001). I am confident the selected alternative will have no effects that are highly uncertain or involve unique or unknown risks to the human environment.

6. The degree to which the action may establish precedent for future actions with significant effects or represents a decision in principle about a future consideration.

I find the actions that are part of this project will not establish a precedent for future actions with significant effects, nor do they represent a decision in principle about a future consideration. These actions only pertain to the Stray Creek project area. Any future resource actions will need to be considered in a separate analysis using relevant scientific and site-specific information available at that time.

7. Whether the action is related to other actions with individually insignificant but cumulatively significant impacts. Significance exists if it is reasonable to anticipate a cumulatively significant

impact on the environment. Significance cannot be avoided by terming an action temporary or by breaking it down into small component parts.

I find the effects of the Stray Creek project combined with the effects of past, present, and reasonably foreseeable actions will not have significant cumulative effects. Cumulative effects are documented and are addressed, by resource, in this EA (pp. 10-28) and in supporting resource analysis documentation that has been incorporated by reference that is located in the project record (documents 11-012, 11-013, 15-001, 17-001, 20-003, 22-004, 22-007, 26-001). Analysis of the project follows the Council on Environmental Quality Guidance Memorandum on consideration of past actions in cumulative effects analysis.

My review of the EA and supporting documents finds the cumulative effects analyses have adequately considered the time and space of effects to each respective resource and all impacts will be contained within each applicable analysis area. No significant adverse environmental impacts are likely to occur because of this decision.

8. The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources.

In compliance with the National Historic Preservation Act the cultural resource surveys have been completed for the Stray Creek project area were submitted to the Idaho State Historic Preservation Office (SHPO) for concurrence. Three sites were identified within the area of potential effects during field surveys that are not eligible for the National Register of Historic Places (Cultural Resources report). The project would have no adverse effects on this property and will benefit the resource. SHPO concurrence was received on December 9, 2019.

I find the action will have no significant adverse effects on cultural sites in or eligible for listing in the National Register of Historic places because all known cultural properties will be avoided during implementation (EA in **Error! Reference source not found.** p. 8). If unknown cultural resources sites are discovered during implementation, all work will stop in the immediate vicinity of the site. Work will not begin again until authorized by a Forest Service archaeologist (EA in **Error! Reference source not found.** p. 8). With the implementation of the project design criteria for cultural resources, there is minimal risk of additional incremental degradation of the cultural properties associated with the proposed action.

9. The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973.

The action complies with the Endangered Species Act (ESA) of 1973 for aquatic, wildlife, and plant species. There are no threatened or endangered wildlife or plant species within the project area.

ESA-listed fish species potentially affected by the project include Snake River steelhead trout (*Oncorhynchus mykiss gairdneri*) and its critical habitat. The effects determination for steelhead trout is no effect (EA p. 27; document 20-003).

10. Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment.

My decision would not violate Federal, State, and local laws or requirements for the protection of the environment. Applicable laws and regulations were considered in the EA and discussed in this decision (EA pp. 29-32). The project complies with Executive Order 12898 regarding environmental justice. No disproportionately high adverse human or environmental effects on minorities and/or low-income populations were identified during the analysis or public scoping and comment processes. The Stray Creek project is consistent with the Forest Plan, as amended, and other law, regulations and policies as described in the in the EA (pp. 29-32) and supporting documentation located in the project record. The

Stray Creek project is consistent with the National Forest Management Act regulations for vegetative management as well as other all applicable state and federal laws (Decision Notice pp.).

I have determined that this project is consistent with desired conditions, objectives, standards, and guidelines in the Idaho County Natural Resources Plan. The project will treat vegetation in Idaho County using a combination of timber harvest and fuels reduction, complete associated road treatments and contribute to the local economy.